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File No. *Weights & Measures II/52*
(N)

Legal Dept.

B BRANCH

Subject:— *Notifications under the
Bombay Weights and
Measures Act 1932*

P/E

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Legal Department.

Under entry 29 in List II in the Seventh Schedule to the Constitution, the State Legislature is competent to undertake legislation for weights and measures except establishment of standards. Under entry 50 in List I, Parliament alone is competent to undertake legislation for establishment of standards of weight and measure. The view expressed by the Bombay Shroffs (Bankers) Association and referred to at 'A' on page 20/C is, therefore, correct.

2. For the purpose in view, it is, however, not necessary to undertake any legislation as proposed at page 23/C. Under section 4(2) of the Bombay Weights and Measures Act, 1932, Government can, after previous publication, declare generally or for any trade or class of trades any sub-multiples of weight other than those specified in the First Schedule or any weights other than those specified in the said Schedule to be the authorised weights and the weights so declared are deemed to be standard weights. The object can be achieved by issuing a suitable notification under section 4(2). But the powers conferred by section 4(2) can be exercised only by the Central Government as they relate to the establishment or alteration of standards of weight. (See section 3(12). For issuing the necessary notification it will, therefore, be necessary to move the Central Government.

Sd/-

Additional Secretary to Government.

U.R. to D.D., No. 11412, dated the 10th July 1952.

EVY. 2/7.